

February 29, 2024

The Honorable William C. Smith, Jr., Chair  
Senate Judicial Proceedings Committee  
2 East Miller, Senate Office Building  
Annapolis, Maryland 21401

**RE: SB 174 - DRIVER'S LICENSE SUSPENSION "LOTTERY" SYSTEM - INFORMATION**

Dear Chair Smith and Members of the Senate Judicial Proceedings Committee:

To aid the Committee's deliberations on Senate Bill 174 (SB 174), the Maryland Department of Human Services (DHS) is reaching out to the committee to provide clarity on long held misunderstandings regarding the Child Support Administration's (CSA) administration of drivers' license suspensions (DLS). We are concerned with the repeating narrative circulating around the General Assembly that CSA implements the DLS program based on a randomized lottery system. We request your assistance to dispel this myth, as CSA strictly adheres to the requirements for DLS as found in current Maryland Family Law § 10-119.

We are uncertain of the source of misunderstanding or the experiences that are leading to the narrative that CSA uses a randomized lottery to determine which driver's licenses are suspended. We are further confused about how such a lottery would operate and what benefit operating a lottery-based drivers' license suspensions program would have for families, obligors, or the Department.

CSA did, in fact, experience system issues during the past two years while implementing a new Child Support Management System (CSMS), including with the suspension of drivers' licenses, that may have generated concerns. However, the Department assures the Senate Judicial Proceedings Committee that CSA uses drivers' license suspension in strict compliance with Maryland Family Law § 10-119.

Maryland's CSA uses the Driver License Suspension program to intervene as early as possible with parents paying support who find themselves two months or more out of compliance with payment of their child support orders. The parent receives notice at the beginning of a child support case of all possible enforcement tools that may be used if support is not paid in accordance with the court order.

After failure to pay for two or more months, the parent is notified by CSA that they have been referred to the Maryland Motor Vehicle Administration (MVA) and have 30 days to contest. After 30 days, if there is no request to contest or that the contest was unsuccessful, the parent is then referred to the MVA for license suspension. The MVA then notifies the parent that they have an additional 30 days to contest the action prior to any actual license suspension.



Advising parents of an impending driver's license suspension as early as possible creates an incentive for noncompliant parents to contact their local child support office to access the various services that may be available to them. Services may include employment programs, state-owed arrears forgiveness programs, and assistance modifying a child support order that no longer accurately reflects a parent's ability to pay following a material change in circumstances. The DLS program is an early intervention method critical to ensuring that parents avoid incurring excessive arrearages that could result in more aggressive enforcement mechanisms, including incarceration for contempt and additional penalties.

DHS recognizes that there is a difference between an inability to pay child support and unwillingness to pay. Therefore, when a driver license suspension negatively impacts an obligor's ability to pay child support, they can challenge a driver's license suspension because it would be an impediment to current or potential employment.

To be clear: CSA does not use any kind of lottery system in administering any part of the child support program, including the driver license suspension program.

We are happy to answer any questions or provide additional information to assist during your deliberations.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at [rachel.sledge@maryland.gov](mailto:rachel.sledge@maryland.gov).

In service,



Rafael López  
Secretary